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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,771	10/24/2003	Walter Hurst	1003-001	8960
7590 Rahul Engineer RDE Patent Group 189 Collingwood St San Francisco, CA 94114			EXAMINER INGBERG, TODD D	
			ART UNIT 2193	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			04/05/2007	
			DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/692,771

Applicant(s)

HURST ET AL.

Examiner

Todd Ingberg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1 – 51 have been examined.

Drawings

1. The drawings filed October 24, 2003 have been accepted.

Priority

2. Claim to domestic priority (60/421,495) will be reviewed with each response.

Claim Objections

3. Claims 6, 15 and 49 contain trademarks in the claims objected to because of the following informalities: The trademarks need to be capitalized. In the event the claimed invention alters the meaning of the trademarked products the Applicant will be required to remove them. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 50 – 51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “*substantially*” has no quantitative meaning or value.
6. Claims 49 – 51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 49 is an omnibus claim.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 – 22 and 38 – 51 are rejected under 35 U.S.C. 101 because

The current focus of the Patent Office in regard to statutory inventions under 35 U.S.C. § 101 for method claims and claims that recite a judicial exception (software) is that the claimed invention recite a practical application. Practical application can be provided by a tangible result. The final result of the claim is an object oriented software tool for distributing business applications which does not have a tangible result because the result is not clearly claimed to be tangibly embodied on a computer readable medium. The following link on the World Wide Web is for the United States Patent And Trademark Office (USPTO) policy on 35 U.S.C. §101.

http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN # 6,959,307 B2 issued October 2005 and filed February 26, 2001),

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Claim 1

A software architecture comprising: a manager object (A, Abstract, Remote EJB Object) capable to receive a client request, select an adapter object from a plurality of adapter object types that is appropriate for handling the client request, and delegate the client request to the selected adapter object (A, fig 8, #812); and a plurality of adapter objects (A, Fig 8, #808, #810 and #812 – purpose in generic type implementation), each adapter object capable to receive the client request if the adapter object is appropriate for handling the client request (based on generic above), select an application component from a plurality of application component types that is appropriate for processing the client request (A, Figure 8, #814), and delegate the client request to the selected application component (A, Fig 8, 816 – 818).

Claim 2

The software architecture of claim 1, wherein the manager object is further capable to retrieve data from a manager configuration that is used to select the adapter object that is appropriate for handling the client request. (A, col 6, lines 37 – 49).

Claim 3

The software architecture of claim 1, wherein the adapter object is further capable to retrieve data from an adapter configuration that is used to select the application component that is appropriate for processing the client request. (A, Fig 8, #804, #806).

Claim 4

The software architecture of claim 1, wherein the software architecture is implemented on an object-oriented programming platform. (A, Abstract – EJB – Java).

Claim 5

The software architecture of claim 4, wherein the manager object is an instantiation of a manager class and the plurality of adapter objects are instantiations of one or more adapter classes. (A, Fig 8, #814 and #816)

Claim 6

The software architecture of claim 4, wherein the object-oriented programming platform is Java or Microsoft .net. See the rejection for claim 4.

Claim 7

The software architecture of claim 1, wherein the manager object comprises a first manager object that handles navigation functionality, a second manager object that handles application functionality, and a third manager object that handles persistence functionality. (A, Col 6, lines 5 – 15)

Claim 9

The software architecture of claim 7, wherein the manager object further comprises a fourth manager object that handles logging functionality, a fifth manager object that handles application state management functionality, a sixth manager object that handles data marshalling

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functionality, and a seventh manager object that handles key management functionality. (A, col 1 and Figure 7B)

Claim 8

The software architecture of claim 1, wherein the plurality of adapter objects comprise a first set of adapter objects that handle navigation functionality, a second set of adapter objects that handle application functionality, and a third set of adapter objects that handle persistence functionality. (A, Figure 8, navigation from #802 determined by a wrapper that determines suitable f or proxy, #806)

Claim 10

The software architecture of claim 8, wherein the plurality of adapter objects further comprise a fourth set of adapter objects that handle logging functionality, a fifth set of adapter objects that handle application state management functionality, a sixth set of adapter objects that handle data marshalling functionality, and a seventh set of adapter objects that handle key management functionality. See the rejection for claim 9.

Claim 11

A software architecture comprising:

- a manager class defining methods for
 - receiving the client request,
 - retrieving data from a manager configuration,
 - selecting an adapter class from a plurality of adapter class types based on the data from the manager configuration and the client request,
 - instantiating an adapter object from the selected adapter class, and
 - delegating the client request to the selected adapter object: and
- a plurality of adapter classes, each adapter class defining methods for
 - implementing one or more methods obtained from an adapter interface, receiving a client request, retrieving data from an adapter configuration, selecting an application component class from a plurality of application component class types based on the data from the adapter configuration and the client request, instantiating an application component from the selected application component class, and delegating the client request to the selected application component. See the rejection for claim 1 – same functionality wording of limitations slightly different)

Claim 12

The software architecture of claim 11, further comprising:

- a manager configuration that includes data specifying which adapter class to select based on the client request (See the rejection for claim 2); and
- an adapter configuration that includes data specifying which application component class to select based on the client request (See the rejection for claims 2 and 3).

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Claim 20

The software architecture of claim 12, wherein the manager configuration and the adapter configuration are designed to be modified by a user.

Interpretation: The broadest reasonable interpretation – a programmer can change code.

Claim 13

The software architecture of claim 11, further comprising:

an adapter interface defining methods that enable a manager object instantiated from the manager class to exchange data with adapter object instantiated from one of the plurality of adapter class; and

an application component interface defining methods that enable an adapter object instantiated from one of the plurality of adapter classes to exchange data with an application component instantiated from an application component class. See the rejection for claim 1.

Claim 14

The software architecture of claim 11, wherein the software architecture is implemented on an object-oriented programming platform. See the rejection for claim 4.

Claim 15

The software architecture of claim 14, wherein the object-oriented programming platform is Java or Microsoft .net. See the rejection for claim 4.

Claim 16

The software architecture of claim 11, wherein the manager class comprises a first manager class that handles navigation functionality, a second manager class that handles application functionality, and a third manager class that handles persistence functionality. See the rejection for claim 9

Claim 18

The software architecture of claim 16, wherein the manager class further comprises a fourth manager class that handles logging functionality, a fifth manager class that handles application state management functionality, a sixth manager class that handles data marshalling functionality, and a seventh manager class that handles key management functionality. See the rejection for claim 9.

Claim 17

The software architecture of claim 11, wherein the plurality of adapter classes comprise a first set of adapter classes that handle navigation functionality, a second set of adapter classes that handle application functionality, and a third set of adapter classes that handle persistence functionality. See the rejection for claim 8

Claim 19

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The software architecture of claim 17, wherein the plurality of adapter classes further comprise a fourth set of adapter classes that handle logging functionality, a fifth set of adapter classes that handle application state management functionality, a sixth set of adapter classes to handle data marshalling functionality, and a seventh set of adapter, classes that handle key management functionality. See the rejection for claim 9

Claim 21

The software architecture of claim 11, wherein the plurality of application component class types is provided by a user. Interpretation: The broadest reasonable interpretation – a programmer can change code.

Claim 22

The software architecture of claim 11, wherein the manager class defines a functional method relevant to the client request that can be delegated to the selected application component. (A, Fig 8, #814)

Claim 23

A method for providing application functionality to a client comprising:
 receiving a client request with a manager object;
 selecting an adapter object from a plurality of adapter object types that is appropriate for handling the client request;
 delegating the client request from the manager object to the selected adapter object;
 selecting an application component from a plurality of application component types that is appropriate for processing the client request;
 delegating the client request from the adapter object to the selected application component to be processed;
 receiving application functionality back from the selected application component; and
 providing the application functionality to the client.

See the rejection for claim 1.

Claim 24

The method of claim 23, further comprising retrieving data from a manager configuration that specifies which adapter class to select based on the client request. See the rejection for claim 1.

Claim 25

The method of claim 23, further comprising retrieving data from an adapter configuration that specifies which application component to select based on the client request. See the rejection for claim 2.

Claim 26

The method of claim 23, further comprising:

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providing a manager class that defines methods for receiving a client request, selecting an adapter class, and delegating the client request; and
instantiating the manager class to provide the manager object.

See the rejection for claim 11.

Claim 29

The method of claim 26, wherein providing a manager class comprises providing a first manager class that handles navigation functionality, a second manager class that handles application functionality, and a third manager class that handles persistence functionality.

See the rejection for claim 7.

Claim 30

The method of claim 29, wherein providing a manager class further comprises providing a fourth manager class that handles logging functionality, a fifth manager class that handles application state management functionality, a sixth manager class that handles data marshalling functionality, and a seventh manager class that handles key management functionality.

See the rejection for claim 9.

Claim 37

The method of claim 26, wherein the manager class defines a functional method relevant to the client request, further comprising:

delegating the functional method from the manager object to the selected adapter object, and

delegating the functional method from the adapter object to the selected application component. (As per the rejection for claim 1 and A, Fig 8, #814).

Claim 27

The method of claim 23, further comprising:

providing an adapter class that defines methods for receiving a client request, selecting an application component class, and delegating the client request; and

instantiating the adapter class to provide the adapter object.

See the rejection for claim 5.

Claim 31

The method of claim 27, wherein providing an adapter class comprises providing a first set of adapter classes that handle navigation functionality, a second set of adapter classes that handle application functionality, and a third set of adapter classes that handle persistence functionality.

See the rejection for claim 9.

Claim 32

The method of claim 31, wherein providing an adapter class further comprises providing a fourth set of adapter classes that handle logging functionality, a fifth set of adapter classes that handle application state management functionality, a sixth set of adapter classes that handle data

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marshalling functionality, and a seventh set of adapter classes that handle key management functionality. See the rejection for claim 9.

Claim 28

The method of claim 23, further comprising:

implementing one or more methods obtained from an adapter interface in the adapter object, wherein the methods enable the manager object to exchange data with the adapter object. (A, Figure 8, #810).

Claim 33

The method of claim 23, wherein the client request is received from a user. (A, col 6, lines 48 – 59)

Claim 34

The method of claim 23, wherein the client request is received from a software application. See the rejection for claim 1.

Claim 35

The method of claim 23, wherein the client request is received from another adapter object. (A, fig 7B, Object Communications)

Claim 36

The method of claim 23, wherein the client request is received from another application component. (A, fig 6, #618)

Claim 38

A computer program product, physically stored on a machine readable medium, for providing application functionality to a client, comprising instructions operable to cause a programmable processor to:

- receive a client request with a manager object;
- select an adapter object from a plurality of adapter object types that is appropriate for handling the client request;
- delegate the client request from the manager object to the selected adapter object;
- select an application component from a plurality of application component types that is appropriate for processing the client request;
- delegate the client request from the adapter object to the selected application component to be processed;
- receive application functionality back from the selected application component; and
- provide the application functionality to the client.

See the rejection for claim 1.

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Claim 39

The computer program product of claim 38, further comprising instructions operable to cause a programmable processor to retrieve data from a manager configuration that specifies which adapter object to select based on the client request. (A, col 3, lines 10-16, Fig 10A – 10C and Fig 11)

Claim 40

The computer program product of claim 38, further comprising instructions operable to cause a programmable processor to retrieve data from an adapter configuration that specifies which application component to select based on the client request. See the rejection for claim 1.

Claim 41

The computer program product of claim 38, further comprising instructions operable to cause a programmable processor to implement methods obtained from an adapter interface in the adapter object, wherein the methods enable the manager object to exchange data with the adapter object. (A, figure 8, #820).

Claim 42

The computer program product of claim 38, further comprising:
a manager class that defines methods for receiving a client request,
selecting an adapter class, and delegating the client request; and
instructions operable to cause a programmable processor to instance the manager class to provide the manager object. See the rejection for claim 1.

Claim 44

The computer program product of claim 42, wherein the manager class defines a functional method relevant to the client request, further comprising instructions operable to cause a programmable processor to:
delegate the functional method from the manager object to the selected adapter object, and
delegate the functional method from the adapter object to the selected application component. See the rejection for claim 1.

Claim 43

The computer program product of claim 38, further comprising:
an adapter class that defines methods for receiving a client request,
selecting an application component class, and delegating the client request;
and instructions operable to cause a programmable processor to instance the adapter class to provide the adapter object.

Claim 45

A data processing system comprising:
means for receiving a client request with a manager object; means for selecting an adapter object from a plurality of adapter object types that is appropriate for handling the client request; means

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for delegating the client request from the manager object to the selected adapter object; means for selecting an application component from a plurality of application component types that is appropriate for processing the client request; means for delegating the client request from the adapter object to the selected application component to be processed; means for receiving application functionality back from the selected application component; and means for providing the application functionality to the client. See the rejection for claim 38.

Claim 46

The system of claim 45, further comprising means for retrieving data from a manager configuration that specifies which adapter class to select based on the client request.
See the rejection for claim 33.

Claim 47

The system of claim 45, further comprising means for retrieving data from an adapter configuration that specifies which application component to select based on the client request.
See the rejection for claims 1 and 33.

Claim 48

The system of claim 45, further comprising means for implementing one or more methods obtained from an adapter interface in the adapter object, wherein the methods enable the manager object to exchange data with the adapter object.
See the rejection for claim 28.

Claim 49

A software architecture comprising a framework for an application program to interact with a technical infrastructure built on a Java 2 Enterprise Edition platform.
See the rejection for claim 4.

Claim 50

The software architecture of claim 49, further comprising structural code that substantially separates software application concerns from technical infrastructure concerns.
Interpreted to be Java as per claim 4.

Claim 51

The software architecture of claim 49, further comprising structural code that substantially separates application components from technical components.
Interpreted to be Java as per claim 4.

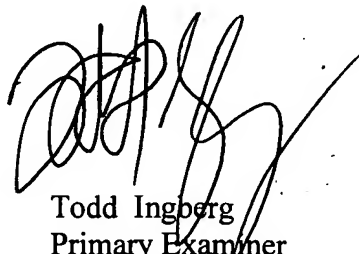
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Correspondence Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Todd Ingberg
Primary Examiner
Art Unit 2193

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